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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 3RD DAY OF APRIL 1998

BEFORE

THE HON'BLE MR.JUSTICE K H N KURANGA

WRIT PETITION No.37856/1993

BETWEEN:

P.RATNAKAR RAJ S/o Late
Shankar Ursu Knnikkal Ballal,
Aged about 57 yrs,
Agriculturist,
Ex.Mandal Pradhan,
r/o Nadasalu village,
Beedu Udupi tk,
D.K.Dist.

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...Petitioner

(By Sri G K Bhat for petrs)

AND:

1. The State of Karnataka
by its Commissioner and
Secretary, Department
of Revenue, M.S.Building,
Bangalore.

2. The Divisional Commissioner,
Mysore Divn., Mysore.

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3. The Special Deputy Commissioner,
(Railways) and Mangalore Super
Thermal Power Project,
Mangalore.

4. The Special Land Acquisition
Officer, Mangalore Super Thermal
Power Project, Mulki,
Mangalore tk, D.K.Dist.

5. National Thermal Power Corporation
a Gover. of India Undertaking,
Rep. by its Deputy
General Manager,
Poodubidri, Udupi tk,
D.K.Dist.

...Respondents.

(By Sri M N Ramanjaneyagowda HCGP for R1-4
R5 Sd)

W.P filed u/a 226 & 227 of the constitution of
India with an affidavit praying to: Quash the order
dt.16.10.93 in No.RD 34 BHU. SWA DA 91 vide Annexure H
in so far as it directs the shifting of the office
of the R4 at Mulki to Mangalore and etc.,

W.P coming on for Hearing this day, the court
made the following:

ORDER

The petitioner has in this petition sought
for quashing of the impugned order dated 16.10.1993

Annexure H in so far as it directs the shifting of the office of the fourth respondent at Mulki to Mangalore and to direct the respondents to retain the office of the fourth respondent-Special L.A.O. at Mulki only in Mangalore Taluk and prohibit the respondents from shifting the office of the fourth respondent to Mangalore or to any other place.

The case of the petitioner is that without considering the difficulties of the villagers and the general public of the area covering the jurisdiction of fourth respondent-Special Land Acquisition officer, the first respondent has issued an order Annexure H closing the establishment of the fourth respondent at Mulki and directing the shifting of the same to the Special Deputy Commissioner, Mangalore, Dakshina Kannada Dist which is against the interest of the public whose lands have been acquired.

This Court has not granted stay of the order Annexure H shifting the office of the fourth respondent from Mulki to Mangalore. The order Annexure-H was

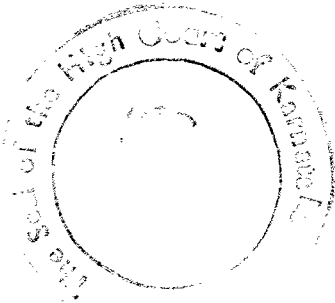
was passed in the year 1993. Since the order Annexure H has not been stayed by this Court, by now the office of the fourth respondent must have been shifted to Mangalore. In the circumstances, the petition does not survive for consideration and it has to be disposed of. Accordingly, it is disposed of.

Sd/-Judge.

Cu

r.by; L. 20/8/98

c.by; V.



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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

21-8-98 *Asstul*